

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:12-cr-00088-MR-DLH-1**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>O R D E R</u>
)	
)	
ALEX DEAN NELSON,)	
)	
Defendant.)	
)	
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IN RE: PETITION OF JOY NELSON)	
BROOKS.)	
)	

THIS MATTER is before the Court on the Government's Motion to Strike Claim [Doc. 22].

On December 17, 2012, the Government filed a motion to strike the claim of Joy Nelson Brooks because the claim was not signed under penalty of perjury. [Doc. 22]. On December 20, 2012, the Court entered an Order directing Ms. Brooks to file an amended petition within thirty (30) days. [Doc. 23]. Ms. Brooks filed an Amended Petition, signed under

penalty of perjury, on January 2, 2013. [Doc. 24]. Accordingly, the Government's Motion to Strike Claim [Doc. 22] has been rendered moot.

IT IS, THEREFORE, ORDERED that the Government's Motion to Strike Claim [Doc. 22] is **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: January 24, 2013



Martin Reidinger
United States District Judge

